

CIRCUIT CITY STORES, INC., et al

Chapter 11, Case No. 08-35653-KRH

Re: Store No. 3572

SUMMARY OF ATTORNEYS' FEES AND EXPENSES
INCURRED BY LANDLORD
POLARIS CIRCUIT CITY LLC
FROM NOVEMBER 2008 – MARCH 2009

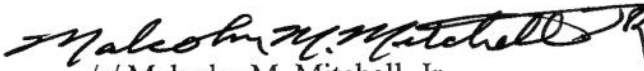
(Copies of Invoices Attached)

PERIOD COVERED	DATE	AMOUNT
November 2008	December 19, 2008	\$ 5,657.00
December 2008	January 28, 2009	10,270.86
January 2009	February 26, 2009	8,686.04
February 2009	March 27, 2009	8,734.02
March 2009	April 20, 2009	2,538.50
	TOTAL:	\$35,886.42*

*With attorneys' fees and expenses continuing to accrue.

DECLARATION

Under penalties of perjury I, Malcolm M. Mitchell, Jr., state that I am a Partner of Vorys, Sater, Seymour and Pease LLP and the attached are true copies of invoices for attorneys' fees and expenses incurred by Polaris Circuit City LLC in the Circuit City Stores, Inc. bankruptcy case and the foregoing summary is accurate.

4/22/09 
/s/ Malcolm M. Mitchell, Jr.
Malcolm M. Mitchell, Jr.

Federal Identification Number
31-4333125

Vorys, Sater, Seymour and Pease LLP

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FRANZ GEIGER
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8800 LYRA DRIVE
SUITE 550
COLUMBUS OH 43240

DECEMBER 19, 2008
INVOICE NO. 774380
D. MICHAEL SCHIRA
ACCT NO. 043601-000019

Statement of Services and Disbursements

Period Ending: November 30, 2008

RE: CIRCUIT CITY LEASE

DATE	DESCRIPTION	ATTY	HOURS
11/19/08	Study rejection order. Telephone conference with Mike Schira. Discussed information needed from client. Discussed background facts. Review Debtor in Possession Loan Order. Notes to file.	MMM	1.50
11/19/08	Attention to bankruptcy issues and status of rent. Telephone conferences with Mac Mitchell and Franz Geiger.	DMS	0.40
11/19/08	Communications with Mike Schira and Mac Mitchell regarding Circuit City bankruptcy case.	TSC	0.20
11/20/08	Prepare notice of appearance. Study order on case management and administrative procedures.	MMM	0.70

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11/21/08	Attention to motion by debtor to extend time in which to assume or reject leases and proposed Order. Confirmed client's lease on list on leases still being considered. Call to Mike Schira. Correspondence to Mr. Schira.	MMM	1.30
11/21/08	Attention to bankruptcy issues. Correspondence to and from Franz Geiger. Telephone conference with Mac Mitchell.	DMS	0.90
11/21/08	Conference with M. Mitchell. Conduct relevant research. Review and file notice of appearance.	KDL	2.30
11/23/08	Study other landlord's motion to compel payment of post-petition rent. Study client's lease. Notes to file. Correspondence to Mike Schira. Allocated rent for November on a pre-petition and post-petition basis.	MMM	2.70
11/23/08	Conference with Mike Schira regarding real estate taxes in Delaware County and strategy.	MMM	0.30
11/24/08	Attention to claims for rent due and timing of payment. Telephone conference with Teresa Underwood.	DMS	0.80
11/24/08	Attention to update electronics pleadings clip.	CDF	0.60
11/25/08	Attention to payments and amount of overdue rent. Correspondence to and from Teresa Underwood.	DMS	0.40
11/25/08	Attention to update electronics pleadings clip.	CDF	0.40
11/26/08	Review limited objection of another shopping center landlord, concerning going-out-of-business sales as a remedy of the debtor in possession lenders. Communication to Mike Schira. Prepare Limited Objection. Review lease for conducting a going-out-of-business sale at the shopping center. Correspondence to Mike Schira forwarding Limited Objection.	MMM	1.70

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DECEMBER 19, 2008

11/26/08	Attention to Bankruptcy issues and filing of motion opposing DIP financing. Telephone conferences with Franz Geiger and Mac Mitchell.	DMS	0.40
11/26/08	Assist in drafting limited objection. Review and revise limited objection. File and serve aforementioned objection.	KDL	1.30
11/26/08	Attention to update electronics pleadings clip. Prepare Rule 2019 Verified Statement for filing.	CDF	0.50

TOTAL FOR SERVICES \$5,630.00

DISBURSEMENTS

OFFICE COPY/SCAN 27.00

TOTAL DISBURSEMENTS \$27.00

TOTAL FOR SERVICES AND DISBURSEMENTS \$5,657.00
=====

BILLING SUMMARY

	RATE	HOURS	TOTALS
MALCOLM M. MITCHELL JR.	420.00	8.20	3,444.00
D. MICHAEL SCHIRA	355.00	2.90	1,029.50
TIFFANY S. COBB	330.00	0.20	66.00
KARA D. LEHMAN	230.00	3.60	828.00
CINDY D. FRICKE	175.00	1.50	262.50

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JANUARY 28, 2009
INVOICE NO. 779580
D. MICHAEL SCHIRA
ACCT NO. 043601-000019

Statement of Services and Disbursements

Period Ending: December 31, 2008

RE: CIRCUIT CITY LEASE

DATE	DESCRIPTION	ATTY	HOURS
12/01/08	Attendance to e-filing and serving Verified Rule 2019 Statement. Update electronics pleadings clip.	CDF	0.90
12/02/08	Studied bankruptcy filings. Studied lease and noted applicable sections and other issues. Call to Mike Schira. Prepared motion to compel payment of rent and notice of motion and proposed order.	MMM	2.20
12/02/08	Attention to payment of rent and filing motions with court. Telephone conferences with Franz Geiger and Mac Mitchell. Analyze correspondence from Teresa Underwood.	DMS	0.40
12/02/08	Conference with M. Mitchell regarding motion and filing. Review motion filed on behalf of landlords similarly situated.	KDL	0.40

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JANUARY 28, 2009

12/02/08	Update electronics pleadings clip.	CDF	0.30
12/03/08	Correspondence to management company. Prepare motion to compel and related pleadings in final form. Correspondence to Mike Schira. Correspondences to and from McGuire Woods.	MMM	1.40
12/03/08	Conference with M. Mitchell. Review and revise motion of Polaris for an order compelling debtor to immediately pay administrative rent, accompanying proposed order. Attend to filing of motion and service.	KDL	2.40
12/03/08	Update electronics pleadings clip.	CDF	0.40
12/04/08	Read bankruptcy filings affecting landlords. Noted limited objection by Polaris postponed until December 22, 2008. Correspondences to and from Mike Schira regarding stub rent issue.	MMM	1.20
12/04/08	Attention to motions for payment of rent and appointment of broker for real estate. Analyze correspondence. Telephone conference with Franz Geiger.	DMS	0.30
12/04/08	Review pleadings filed by other landlord creditors. Review correspondence from M. Mitchell.	KDL	0.20
12/04/08	Update electronics pleadings clip.	CDF	0.50
12/05/08	Review filings for relevant rulings on December 5 as they affected commercial real estate landlords.	MMM	0.50
12/08/08	Correspondence from management company regarding receipt of rent payment. Correspondence to management company requesting copy of cover letter and check. Correspondence to and from management company regarding application of payment received from Circuit City. Correspondence to Mr. Geiger.	MMM	0.60

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JANUARY 28, 2009

12/08/08	Update electronics pleadings clip.	CDF	0.40
12/09/08	Review bankruptcy court filings relevant to landlords. Research on billing method versus accrual method. Notes to file.	MMM	1.00
12/09/08	Update electronics pleadings clip.	CDF	0.10
12/10/08	Communication to another attorney representing several landlords and discussed what occurred at the December 5 bankruptcy court hearing. Conference with Kara Lehman.	MMM	0.40
12/10/08	Telephone conference with attorney at Skadden Arps. Review pleadings related to landlords. Notes to file.	MMM	0.50
12/10/08	Began preparation for hearing.	MMM	1.40
12/12/08	Telephone conference with Mike Murphy of Skadden Arps regarding representations made by counsel for Bank of America for itself and as agent for other lenders with regard to going out of business sales.	MMM	0.10
12/15/08	Conduct case law and statutory research regarding accrual versus billing method. Review and summarize applicable case law and draft brief memorandum.	KDL	1.90
12/16/08	Conference with Kara Lehman about the results of her research.	MMM	0.10
12/16/08	Complete draft of memorandum regarding applicable law on billing versus accrual method. Conference with M. Mitchell.	KDL	1.50
12/18/08	Read bankruptcy filings relevant to landlord issues. Prepared for hearing. Correspondence to Mr. Geiger. Correspondence to Teresa Underwood. Correspondence to Mike Murphy at Skadden Arps. Notes to file.	MMM	1.30

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JANUARY 28, 2009

12/19/08	Correspondence to Mike Murphy at Skadden Arps confirming limited objection on such things as going out of business sale resolved.	MMM	0.70
12/22/08	To Richmond for hearing on stub rent issue. Conference with counsel for the debtor. Conference with several attorneys for other landlords. Appeared before Court and argued motion to compel. Notes to file. Discussed results with Mr. Schira.	MMM	5.20
12/28/08	Correspondence to client reporting on bankruptcy court ruling on stub rent. Studied bankruptcy court filings related to landlords.	MMM	1.30
12/30/08	Telephone discussion with Franz Geiger about court's ruling on December 22 and status of case.	MMM	0.20
TOTAL FOR SERVICES			\$9,777.50
DISBURSEMENTS			
	MILEAGE/PARKING		134.64
	POSTAGE		31.92
	MISCELLANEOUS		17.70
	OFFICE COPY/SCAN		309.10
	TOTAL DISBURSEMENTS		\$493.36
TOTAL FOR SERVICES AND DISBURSEMENTS			\$10,270.86 =====

BILLING SUMMARY

	RATE	HOURS	TOTALS
MALCOLM M. MITCHELL JR.	420.00	18.10	7,602.00
D. MICHAEL SCHIRA	355.00	0.70	248.50
KARA D. LEHMAN	230.00	6.40	1,472.00
CINDY D. FRICKE	175.00	2.60	455.00

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FEBRUARY 26, 2009
INVOICE NO. 784602
D. MICHAEL SCHIRA
ACCT NO. 043601-000019

Statement of Services and Disbursements

Period Ending: January 31, 2009

RE: CIRCUIT CITY LEASE

DATE	DESCRIPTION	ATTY	HOURS
01/01/09	Reviewed the filings.	MMM	0.20
01/05/09	Read correspondence from Circuit City broker forwarded from Mr. Geiger. Notes to file on appeal filed by some of the landlords prior to the entry of the Order denying immediate payment of stub rent.	MMM	0.50
01/05/09	Attention to bankruptcy and lease modification issues. Analyze correspondence from tenant broker. Telephone conference with Franz Geiger. Telephone conference with Mac Mitchell.	DMS	0.40
01/06/09	Worked on strategy for client. Call to Mike Shira.	MMM	0.50

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FEBRUARY 26, 2009

01/06/09	Telephone conference with Mac Mitchell concerning appeal of decision delaying payment of November stub rent.	DMS	0.20
01/07/09	Conference Mr. Mitchell regarding landlord stub rent issue.	RJS	0.25
01/07/09	Telephone discussion with Bob Sidman regarding strategy [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]. Call to Mr. Geiger and left voice mail. Call to Mike Schira. Conference with Sue Banerjee and Kara Lehman. E-mails from Teresa Underwood and Mr. Geiger. E-mail to Ms. Underwood. Notes to file.	MMM	0.80
01/07/09	Telephone conference with Mac Mitchell concerning payment of rent. Analyze correspondence concerning bankruptcy issues.	DMS	0.20
01/07/09	Conference with S. Banerjee and M. Mitchell. Calls to clerk and deputy regarding appearance by telephone. Determine proper service list. Review pleading and electronically file with court.	KDL	1.80
01/07/09	Conference with Mr. Mitchell regarding preparing joinder motion; review docket sheet; prepare joinder motion; prepare notice of joinder; interoffice conference with Ms. Lehman regarding telephonic appearance at hearing; conference with Mr. Mitchell and Ms. Lehman regarding service; attention to service issues; serve core list via electronic mail.	SB	2.20
01/09/09	Attended Circuit City Hearing regarding motion to sell business as a going concern. Notes to file. E-mails to Mr. Geiger. Telephone discussion with Mr. Geiger.	MMM	2.10